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RECEIVED

MAR 25 1992

TR/CMEL
IOWA SECTION

March 24, 1992

Michael Sanderson
Chief RCRA Branch
US Environmental Protection Agency
Region VII
726 Minnesota Avenue
Kansas City, Kansas 66101

Dear Sir:

This letter is our written response to an inspection performed on 3-12-92 and our course of action to correct all violations.

Citation Pg. 1 - 40-CFR 262.11

Failure to determine whether wastes are hazardous i.e. paint filters.

Remedy: The state DNR has been called to get a list of certified testing companies. Test will be made on filters ASAP. In the interim, filters are being properly stored in metal containers in a satellite storage area.

Citation Pg. 1 - 40-CFR 262.34 (c)(1)(ii)

Failure to label satellite containers with words Hazardous Waste or with other words that identify contents.

Remedy: All satellite containers will be labeled with stickers identifying Hazardous Materials. Signs and labels ordered from Safety Sign Co., Cleveland, Ohio. Full implementation by 3-30-92.

Citation Pg. 1 - 40-CFR 262.34 (c)(1)(i)

Ref. 265.173 (a)

Failure to keep containers closed except when adding or removing waste.

Remedy: All satellite storage containers have been sealed properly. A directive has been issued to personnel to monitor this. A weekly inspection program has been set up.



R00027540

RCRA Records Center

Citation Pg. 1 - 40-CFR 262.34 (d)(2)

Failure to keep containers closed during storage.

Remedy: All containers have been properly sealed. Directive to personnel to monitor will be part of weekly program.

Citation Pg. 1 - 40-CFR 262.34 (d)(4)

Failure to label containers with word Hazardous Waste.

Remedy: All containers have been labeled with Hazardous Waste stickers. Part of weekly inspection.

Citation Pg. 1 - 40-CFR 263.34 (d)(4)

Failure to mark start date of accumulation on containers.

Remedy: All containers have been properly marked with start date accumulation. Part of weekly inspection. Log book started.

Citation Pg. 1 - 40-CFR 262.34 (f)

Storing hazardous waste over 270 days without permit or interim status.

Remedy: Product Design has contracted with Hazeco Chemical Waste Co. to remove all of our waste on a quarterly basis. All waste currently on premises will be hauled prior to April 10, 1992. Thereafter, their truck will routinely remove hazardous waste on a regular 1/4 schedule.

Citation Pg. 1 - 40-CFR 262.34 (d)(s)(ii)(A)

Failure to post emergency coordinator's name and phone number by phone.

Remedy: Emergency coordinator has been appointed and his name and phone number has been placed by appropriate phones.

Citation Pg. 2 - 40-CFR 262.34 (d)(5)(ii)(B)

Failure to post location of fire extinguishers and spill control material by telephone.

Remedy: Locations information has been posted by telephone.

Citation Pg. 2 - 40-CFR 268.7 (a)(7)

Failure to retain a copy of all land disposal restriction notices.

Remedy: A copy is being requested from the state as our local landfill did not have one. When received it will be studied and retained.

Citation Pg. 2 - 40-CFR 268.7 (a)(1)(ii)
Failure to identify the treatment standards on the land disposal restriction notices.

Remedy: When received (next few days) treatment standards will be identified.

Citation Pg. 2 - 40-CFR 268.7 (a)(1)(iii)
Failure to place manifest number on a land disposal restriction notice.

Remedy: When received, manifest number will be placed on restriction notice.

Citation Pg. 2 - 40-CFR 262.40 (a)
Failure to maintain signed manifest for three years.

Remedy: Signed manifest were retained but were boxed up in old records. Separate manifest file has been setup to insure proper retention.

Citation Pg. 2 - 40-CFR 262.42 (b)
Failure to inform EPA of failure to receive a signed manifest from the disposal facility within 60 days of date waste was accepted by disposal facility.

Remedy: Proper filings of manifest will insure our ability to quickly locate them or notice if they have not been received.

Citation Pg. 3 - 40-CFR 265.15
Failure to develop and implement an inspection schedule and to inspect and record inspections at least weekly in an inspection log.

Remedy: A weekly inspection has been started and a log is being kept on these inspections.

Citation Pg. 3 - 40-CFR 265.16
Failure to have a training plan and provide training to employees that handle or manage hazardous waste that meets 40 CFR 265.16 requirement.

Remedy: A training kit has been acquired and a program to properly train is being put together. Training will begin in two weeks. Document pertaining to that program will be forwarded ASAP.

Citation Pg. 3 - 40-CFR 265.51 (a)
No contingency plan.

Remedy: A contingency plan is being developed.

Citation Pg. 3 - 40-CFR 262.34 (d)(4)
Ref. 40-CFR 265.37 (a)(4)

Failure to make arrangements with local police department and hospital with the layout of facility and properties of hazardous waste handled at facility and associated hazards etc. Failure to familiarize local hospitals with the properties of hazardous waste handled and type of injuries or illness which could result from fires, explosions or releases.

Remedy: All local authorities and hospitals will be sent a layout of facilities and all other information as required by this code. This will be done within 30 days.

Citation Pg. 4 - 40-CFR 265.176

Containers of ignitable hazardous waste stored less than 50 feet from property line without a variance. Failure to conduct weekly inspection of the container storage area.

Remedy: Satellite storage containers will be moved to be 50 foot from property line. NOTE: Property next to our's is a vacant lot with a building that is over 100 feet away.

Summary:

All above citations are currently under correction. A Hazardous Waste Manager and Emergency Coordinator have been appointed. PDF and its Principles are now and always have been responsible when it comes to environmental concerns. Our company has recently undergone Severe Financial Trauma after our bank called our loan, forcing us to pay them off or face liquidation. This process lasted a agonizing year. We were able to pay them off in January 92, and get back to running and managing our Business without this pressure. Even though under severe financial duress we managed our Hazardous material in a responsible manner.

I had a year prior requested and received a grant on hazardous material handling from University of Northern Iowa. This was done because of my concerns for proper handling and disposal of our waste paint thinners. I at no time handled our hazardous waste irresponsibly.

The implementation of our training program certainly was delayed by our financial dilemma, but waste was not improperly disposed of. I am hopeful you will consider our efforts to

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quickly correct these problems and our past efforts when considering civil penalties. My company is just now recovering from our bank situation. Civil fines could be the maker of our demise.

Respectfully Submitted

A handwritten signature in cursive script, appearing to read 'Irv Janey', written in dark ink.

Irv Janey
President

cc: Tammi Lafler
Safety Coordinator(PDF)